

Aug 24, 2006
#3

No. 080206-A

**RECOMMEND A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT
THE BALCONES CANYONLANDS COORDINATING COMMITTEE PROPOSAL TO
AMEND FEDERAL FISH AND WILDLIFE PERMIT PRT-788841 THROUGH A MINOR
AMENDMENT TO THE UNITED STATES FISH AND WILDLIFE DEPARTMENT.**

August 2, 2006
REGULAR MEETING
VOTE: 5-2-0-1

Motion	Commissioner's Vote				
	Made By	Consenting	Dissenting	Abstaining	Absent
Michael Warner (Chairperson)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chien Lee, P.E., (Vice Chair)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Roger Chan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leslie Pool	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reynaldo Gonzalez, Jr., P.E.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Karen Friese, P.E.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Laura Raun	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cheryl Scott-Ryan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Water and Wastewater Commission recommends a resolution authorizing the City Manager to submit the Balcones Canyonlands Coordinating Committee proposal to amend Federal Fish and Wildlife Permit PRT-788841 through a Minor Amendment to the United States Fish and Wildlife Department. This Minor amendment will authorize the City to relocate Water Treatment Plant #4 from approximately 102 acres owned by the City located within (but not dedicated as Balcones Canyonlands Preserve land to) the Bull Creek Macrosite to approximately 45 acres of the North Lake Austin Macrosite Balcones Canyonlands Preserve area known as Cortana.

Commissioner Raun and Commissioner Pool voted no to this proposal. Commissioner Raun voted against the proposal because the Water & Wastewater Commission was circumvented on the question of relocating WTP#4 to the Contana site. Commissioner Pool voted no because she wanted the benefit of input from the BCCP advisory groups before moving forward.


Michael Warner, Chairperson
Water and Wastewater Commission

8/4/06
Date



Aug. 24, 2006
#3

ENVIRONMENTAL BOARD MOTION 081606 C-2

Date: August 16, 2006

Subject: Water Treatment Plant #4

Motioned By: Dave Anderson, P. E.

Seconded By: William Curra, P. E.

Recommendation:

The Environmental Board recommends that the City of Austin continue to look for alternate sites on which to construct proposed Water Treatment Plant #4, as the Cortaño tract contains at least five (5) nesting pairs of Federally Endangered Black Capped Vireos that would most likely be taken as a result of the plant constructions.

Board Conditions:

1. The City of Austin must renew its commitment to support and assist in the completion of the Balcones Canyonlands Preserve as it was originally designed and is currently required by the Final HCP/EIS. While the City is close to achieving the overall goal for the total preserve system size, much more work needs to be done to attain the minimum area for each macrosite, the maximum percent of edge, and other minimum specifications. The city must work with Travis County to develop the strategies and funding needed to complete the preserve in each macrosite, as described in pages 3-59 through 3-75 of the Final HCP/EIS. The preserves cannot reasonably be expected to work for the various species unless the integrity of the preserve design is maintained.
2. Because the Black-capped vireo has not been effectively managed by the BCP up to this date, the City of Austin should take the lead role and work with Travis County and the Scientific Advisory Committee to develop an appropriate plan for the Black Capped Vireo, and set aside \$350,000 for BCPVI habitat restoration, habitat acquisition, etc. This plan must:
 - a) Identify suitable habitat (based upon historical occupation, geology, whatever else the experts identify as key) through communication with City of Austin BCCP staff and various Black Capped Vireo experts (i.e., Scientific Advisory Committee, Chuck Sexton, Ft. Hood expert, etc.):

- b) Identify 2,000 acres of existing or potential black-capped vireo habitat to be managed by BCP partners in fulfillment of the permit requirements for black capped vireo management under BCCP;
- c) Identify the sites to be managed, described how those areas will be acquired or otherwise conserved, the sources of funding for site acquisition, habitat manipulation where appropriate, and ongoing management, as well as the habitat management methods that will be applied;
- d) Be completed and submitted to the BCCP coordinating Committee by March 1, 2007.

The outcome should be:

- a) At least 1,000 acres to be under active management within three years.
 - b) At least five acres of new BCVI habitat under active management for each acre of current habitat taken as a result of the construction of Water Treatment Plant #4.
 - c) At least two acres of BCVI habitat suitable for occupancy for each acre of current habitat taken as a result of the construction of Water Treatment Plant #4.
3. The Austin Water Utility must dedicate the 102 acre "original Water Treatment #4 site" to Balcones Canyonlands preserves.
 4. The Austin Water Utility must report the progress being made toward all Board conditions listed in this motion, including those conditions described in the Memorandum of Understanding signed between the Austin Water utility and The Watershed Protection and Development Review Department, which formed the basis for the *Environmental Goals, Mitigation, BMPs, Monitoring, and Commission* protocol as conditionally required in Environmental Board Motion EBM040205-C1 on April 20, 2005. This report must be made to the Environmental Board, Scientific Advisory Committee and Citizens Advisory Committee monthly until construction of Water Treatment Plant #4 is complete.
 5. request that Council require the Austin Water Utility to ensure that this reporting process be followed;
 6. Recommend that Council direct staff to assemble a group like the original BAT to evaluate the likely long term success of the HCP and to determine what else, if anything, is needed for the species and how it could be achieved, including reengaging land trust organization interested in the ultimate success of the BCCP; and;
 7. In addition to the recommendation and conditions mentioned above, the Board recommends that there be an immediate investigation into and reforms the Austin Water utility on the Water Treatment Plant #4 issue, its administration of the BCCP, and any future environmental issues involving that Department.

Rationale:

The citizens of Austin have been given two undesirable options for the location of the new plant. One that could have significant negative impact on the Federally Endangered Golden Cheeked Warbler, the potentially listed Jollyville Salamander, the water quality of the Bull Creek system, and the water quality of the Edwards Aquifer. The other could have significant negative impacts on the Federally Endangered Black Capped Vireo and the water quality of the Edwards Aquifer. Neither site provides an acceptable level of environmental protection.

Vote: 8-0-0-0

For: Dave Anderson, Karin Ascot, Phil Moncada, William Curra, Mary G.. Maxwell,
Rodney Ahart, Julie Jenkins and John Dupnik

Against: None

Abstain: None

Absent: None.

Approved By:

Dave Anderson, PE, CFM
Chair

DRAFT